IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE Ms JUSTICE G. ROHINI

WRIT APPEAL NO : 1766 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 09/09/2004 in WP NO : 14120 OF 2004 on the file of the High Court.)

Between:

Dunaboina Satnarayana, S/o. Naganna,
R/o. Katrenikona Village & Mandal, East Godavari District.

..... APPELLANT

AND

1 Sri M.M. Anand Sagar, S/o. M.s. Prasada Rao,
Katrenikona Village & Mandal, East Godavari District.
2 The Government of Andhra Pradesh, Rep. by its Principal Secretary to Government,
Panchayat Raj & Rural (PTS.II) Department, Secretariat, Hyderabad.
3 The District Collector, East Godavari District.
4 The District Panchayat Officer, East Godavari District, Kakinada.

.....RESPONDENT(S)

Counsel for the Appellant:MR.M.VIJAYA SARATHI REDDY

Counsel for the Respondent No.1: Mr. V. Raja Manohar

Counsel for the Respondent No. 4: Mr. C.V. Mohan Reddy

Counsel for the Respondent Nos.2&3: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following Oral Judgment: (per Sri Devinder Gupta, CJ)

Appellant is not a party either to the writ petition or to the proceedings taken out by the writ petitioner-1st respondent herein, before the authorities concerned.

Show cause notice dated 18.1.2004, issued against the writ petitioner, Sarpanch of Katrenikona Gram Panchayat, Katrenikona Village and Mandal was challenged in the writ petition impugned in this appeal and ultimately the said writ petition was allowed by a learned single judge of this Court reserving liberty to the 2nd respondent to take appropriate action on the alleged financial irregularities by issuing a fresh show cause notice.

Learned counsel for the respondents 2 to 4 states that fresh show cause notice has already been issued to the writ petitioner and he has sought time to inspect the record.

In that view of the matter, we do not find any ground to interfere with the order of learned single judge holding that the earlier show cause notice dated 18.1.2004 was bad and in reserving liberty to the respondent-authorities to take appropriate action on the alleged financial irregularities committed by the writ petitioner in accordance with law.

The writ appeal is accordingly dismissed. No costs.

_____ DEVINDER GUPTA, CJ

Date: 30th November, 2004

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G. ROHINI, J

Pnb

To

1 Sri M.M. Anand Sagar, S/o. M.s. Prasada Rao,
Katrenikona Village & Mandal, East Godavari District.
2 The Principal Secretary to Government, Panchayat Raj & Rural (PTS.II)

Department,Government of Andhra Pradesh, Secretariat,

Hyderabad.
3 The District Collector, East Godavari District.
4 The District Panchayat Officer, East Godavari District, Kakinada.

5 Two C.Cs. to the Government Pleader for Panchayat Raj & Rural

Development, High Court Buildings, Hyderabad. (OUT)

6 Two C.D.copies